

B O O K R E V I E W

Małgorzata Polkowska,
*Global Governance of Air and Space:
Institutions, Law, Management and Policy,*
Instytut Wydawniczy EuroPrawo, Warsaw 2019, 390 p.

Professor Polkowska's latest book is an important contribution to the topical discussion on international governance issues in particular in the fields of aviation and space. The book explores the existing global governance systems, including their legal, policy and institutional context. The author gives her assessment of this system and discusses its future needs, perspectives and challenges. The publication is arranged in two parts. The discussion starts with general ideas organised within chapter 1–3 (Part One) and moves towards specific air and space issues presented in chapters 4–5 (Part Two). The Annex to the book includes the full text of the United Nations (UN) Charter.

The first chapter introduces the concept of governance and global governance, the beginnings of these ideas and their development in international law and institutional practice. This part of the book includes an extensive digest of concepts presented in political sciences, legal sciences and economics. The opposition towards a world government, and global governance, is explained and the role of international governmental and non-governmental organisations outlined. The notion of international governance is also discussed in the light of the idea of state sovereignty as confirmed and regulated in the UN Charter. The author gives examples of international governance in areas of environmental protection, economy, peace, security, science, education, information and communication. Regional and global governance are distinguished and it is argued that the former may be treated as a form of a laboratory, where international cooperation can be tested. The Author also emphasises that inadequate international institutions and arrangements, together with national interests, are an important impediment to the advancement of true global governance. The problem of legitimacy of future governance forms is also stressed. This leads to a discussion of various ideas on the reform of global governance.

The second chapter develops on the role of international governmental and non-governmental organisations in building global governance. The architecture and functions of the UN organisation and its key role in global governance is explained in detail. This is followed by deliberations on current trends and on the future of international governance. Discussed are the perspectives of the UN system and the

process of the opening of international organisations to transnational actors. The Author explains the rise of non-governmental organisations and the importance of their cooperation with inter-governmental institutions, as well as the trend towards regionalism. These considerations are summed up by a debate on the perspectives for international organisations.

Part one of the book also covers legal, policy and management issues in global governance. Chapter three includes a thorough analysis of the law of international organisations as part of public international law. The Author introduces readers to the status, functions, activities and decision making process of international organisations. A separate subchapter is devoted to the law-making competences of these institutions, the types of their decisions, their binding force and the treaty-making capacity of international organisations. Further, the Author deliberates on the legal personality, privileges, immunities and accountability of these organisations, as well as on their relation to state sovereignty and their policy-making potential.

In the second part, the book provides a detailed exemplification of global governance systems in the fields of air and space. The Author describes how the current international regime for aviation was forged, presents the key principles of air law embedded in the Chicago Convention, the legal architecture of the International Civil Aviation Organisation (ICAO), its tasks and structure. Explained is the functioning of the ICAO global governance regime. This starts with institutional issues such as the role and competences of the ICAO General Assembly, Council, Commissions, Committees and Secretariat. The book also covers in detail the ICAO law-making process, ICAO conferences, ICAO-supported international legislation such as aviation security conventions and other ICAO programmes and international initiatives.

The final chapter shows the development of the space law doctrine and practice, that is, international space treaties. It also includes a comprehensive overview of international space-related organisations and programmes such as the Committee on the Peaceful Uses of Space (COPUOS), United Nations Office for Outer Space Affairs (UNOOSA), United Nations Programme on Space Applications, International Telecommunication Union (ITU), International Institute of Space Law (IISL), European Space Agency (ESA), European Space Policy Institute (ESPI), INTELSAT, INMARSAT, INTERSPUTNIK, International Space Station (ISS), International Association for the Advancement of Space Safety (IAASS). The Author contends that currently global governance in space concentrates in two main bodies COPUOS and UNOOSA. However, she also presents the proposed role of ICAO in regulating space activities. The final chapter also includes a very broad discussion of space diplomacy and problems concerning the militarization of space. What is more, the Author points to future challenges to space activities such as space congestion, hostile use of space assets, and conflicting state interests.

Małgorzata Polkowska's book gives an interesting insight into global governance problems and into the role of air and space institutions. A great advantage of the publication is its comprehensiveness and interdisciplinary character. The book integrates legal and institutional matters with issues related to diplomacy, politics,

policy and public management. Furthermore, this work is well supported with a very extensive digest of literature and other sources, which shall be particularly helpful for the readers. The other important advantage, which makes the book even more unique, is that the presented understanding of the discussed problems is not only based on the Author's impressive knowledge of international law but also on her professional experience in international aviation institutions (permanent representative in the ICAO Council 2013–2016). The book makes an original and valuable publication which will be useful to students, researchers, policymakers and representatives of international organisations.

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